

**ALLEGED SHIPMENT:** On or about March 26, 1953, from Atchison, Kans.

**PRODUCT:** 10 100-pound bags of unpopped popcorn at Cortland, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of live insects. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** November 9, 1953. Default decree of condemnation and destruction.

**20960. Adulteration of unpopped popcorn. U. S. v. 1 Bag, etc. (F. D. C. No. 35498. Sample No. 8597-L.)**

**LIBEL FILED:** September 23, 1953, Northern District of New York.

**ALLEGED SHIPMENT:** On or about March 26, 1953, from Atchison, Kans.

**PRODUCT:** 1 100-pound bag and 8 24-pound bags of unpopped popcorn at Syracuse, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of live insects. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** November 9, 1953. Default decree of condemnation and destruction.

**20961. Adulteration of rice. U. S. v. 18 Bags \* \* \*. (F. D. C. No. 35499. Sample No. 56122-L.)**

**LIBEL FILED:** September 21, 1953, Western District of New York.

**ALLEGED SHIPMENT:** On or about May 25, 1953, from Stuttgart, Ark.

**PRODUCT:** 18 100-pound bags of rice at Buffalo, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** October 21, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for use as animal feed.

## DAIRY PRODUCTS

### BUTTER

**20962. Adulteration of butter. U. S. v. 101 Boxes (6,060 pounds) \* \* \*. (F. D. C. No. 35552. Sample No. 64869-L.)**

**LIBEL FILED:** On or about August 18, 1953, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about August 3, 1953, by the Steele County Creameries Association, from Rochester, Minn.

**PRODUCT:** 101 60-pound boxes of butter at Chicago, Ill.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance and was made in part from filthy cream.

**DISPOSITION:** The H. C. Christians Co., Chicago, Ill., appeared as claimant and filed a motion for summary judgment to have the boxes of butter under seizure from churnings 1, 2, 30, and 31 released to the claimant on the grounds

that the Food and Drug Administration had found that the butter in those boxes was not adulterated as alleged in the libel. The matter came on for hearing, and it appearing to the court that the butter under seizure consisted of 7 churnings; that 3 of the churnings numbered 27, 28, and 29, consisting of 47 boxes, were adulterated as alleged in the libel; and that 4 of the churnings numbered 1, 2, 30, and 31, consisting of 54 boxes, were not adulterated, the court, on December 2, 1953, entered a decree of condemnation against all of the butter under seizure and ordered that the butter be released under bond for segregation of the adulterated churnings from the unadulterated churnings under the supervision of the Department of Health, Education, and Welfare.

As a result of the segregation operations, the 54 boxes of unadulterated butter were released to the claimant and the 47 boxes of adulterated butter were destroyed.

20963. Adulteration of butter. U. S. v. 66 Cases \* \* \*. (F. D. C. No. 35846.

Sample No. 45520-L.)

**LIBEL FILED:** August 5, 1953, District of Massachusetts  
**ALLEGED SHIPMENT:** On or about June 27, 1953, by the Beatrice Foods Co., from Galesburg, Ill.

**PRODUCT:** 66 cases, each containing 32 1-pound prints, of butter at Boston, Mass.

**LABEL, IN PART:** (Print) "Valley Farm Brand Butter \* \* \* Distributed By Beatrice Foods Co. General Office—Chicago, Illinois."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. (Examination showed that the article was prepared from decomposed cream.)

**DISPOSITION:** September 24, 1953. The Beatrice Foods Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for conversion into edible butter oil, under the supervision of the Department of Health, Education, and Welfare.

20964. Adulteration of butter. U. S. v. 18 Boxes (1,080 pounds) \* \* \*. (F. D. C. No. 35556. Sample No. 66194-L.)

**LIBEL FILED:** August 26, 1953, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about August 12, 1953, by Ravenwood Cooperative Creamery, Inc., from Ravenwood, Mo.

**PRODUCT:** 18 60-pound boxes of butter at Chicago, Ill.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance and was made from filthy cream.

**DISPOSITION:** October 14, 1953. Default decree of condemnation and destruction.

#### CHEESE

20965. Adulteration of cheese. U. S. v. Bangor Milk Products Co., Inc., and Herbert E. Wilson. Pleas of guilty. Fine of \$250 against corporation and \$1 against individual. (F. D. C. No. 35737. Sample No. 56093-L.)

**INFORMATION FILED:** December 29, 1953, Northern District of New York, against Bangor Milk Products Co., Inc., Bangor, N. Y., and Herbert E. Wilson, secretary-treasurer of the corporation.